

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,	)	INFORMATION
	)	
Plaintiff,	)	(18 U.S.C. § 1343)
	)	(18 U.S.C. § 1028A(a)(1))
v.	)	<i>CR 08-190 DWF</i>
	)	
JOHN M. RUBISCHKO,	)	
	)	
Defendant.	)	

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT 1  
(Wire Fraud/Mortgage Fraud)

From in or about January 2003 through June 2007, in the State and District of Minnesota, the defendant,

JOHN M. RUBISCHKO,

devised and intended to devise a scheme and artifice to defraud and to obtain money, by means of false or fraudulent pretenses, namely mortgage fraud, and for the purpose of executing and attempting to execute such scheme and artifice, on or about September 22, 2005, the defendant did knowingly cause to be transmitted in interstate commerce certain signs and signals by wire, that is a wire transfer of money; all in violation of Title 18, United States Code Section 1343.

COUNT 2  
(Aggravated Identity Theft)

On or about September 23, 2005, in the State and District of Minnesota, the defendant,

JOHN M. RUBISCHKO,

SCANNED

JUN 16 2008

U.S. DISTRICT COURT MPLS

FILED JUN 16 2008  
RICHARD D. SLETTEN, CLERK  
JUDGMENT ENTERED \_\_\_\_\_  
DEPUTY CLERK'S INITIALS \_\_\_\_\_

knowingly used, without lawful authority, a means of identification of M.Z.R., namely the name of M.Z.R., a known adult female, during and in relation to defendant's wire fraud scheme set forth above, and specifically to obtain a mortgage to purchase a property in Prior Lake, Minnesota without her knowledge or authority; all in violation of Title 18, United States Code, Section 1028A(a)(1).

**Forfeiture Allegations**

Count 1 of this Information is hereby realleged and incorporated as if fully set forth herein by reference, for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C), in conjunction with Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 982(a)(1).

As the result of the offenses alleged in Count 1 of this Information, the defendant,

JOHN M. RUBISCHKO,

shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property constituting, or derived from, proceeds traceable to the violations of Title 18, United States Code, Section 1343.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

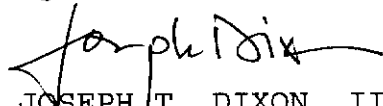
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), and by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(1), 1343, and Title 28, United States Code, Section 2461(c).

Dated: June 16, 2008

Respectfully submitted,

FRANK J. MAGILL, JR.  
Acting United States Attorney

  
BY: JOSEPH T. DIXON, III  
Assistant U.S. Attorney  
Attorney ID No. 0283903